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Attorneys for Defendants
LAFAYETTE SCHOOL DISTRICT and
LAFAYETTE BOARD OF EDUCATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

M.M. & E.M., individually and on
behalf of their son, C.M.,

Plaintiffs,

v.

LAFAYETTE SCHOOL DISTRICT,
a Local Educational Agency and
LAFAYETTE BOARD OF
EDUCATION, CALIFORNIA
DEPARTMENT OF EDUCATION
(CDE), and JACK O'CONNELL, as
State Superintendent of Public
Instruction for the State of
California, the CALIFORNIA
DEPARTMENT OF GENERAL
SERVICES (DGS), and WILL
BUSH, as State Director for the
California Department of General
Services

Defendants.

Case Nos. C09-04624 and C10-04223 SI
*[Remanded To The United States District
Court By the Ninth Circuit Court of
Appeals]*

**JOINT REQUEST TO SET CASE
MANAGEMENT CONFERENCE**

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TO THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

The Ninth Circuit Court of Appeals issued an Opinion in the appeal from these consolidated cases on September 16, 2014, and an Amended Opinion on October 1, 2014. The Amended Opinion remanded certain issues to the District Court for further consideration. Mandate returning this matter to this Court was subsequently issued on December 12, 2014. In addition, on April 7, 2015, the Ninth Circuit issued an Order transferring the Plaintiffs' motion for attorney's fees on appeal to the District Court pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

Thus, there are no issues currently pending before the Ninth Circuit, and it is appropriate that proceedings in the District Court be resumed. The parties therefore jointly request that a case management conference be set for May 15, 2015, or such other date as may be available, in order to discuss with the Court various procedural issues with the Court and establish a new Case Management Order. Parties will submit a Joint Case Management Statement seven (7) calendars days before the Case Management Conference.

DATED: April 16, 2015

DANNIS WOLIVER KELLEY

By: /s/ Amy R. Levine
AMY R. LEVINE
Attorneys for Defendants
LAFAYETTE SCHOOL DISTRICT
and LAFAYETTE SCHOOL BOARD

DATED: April 16, 2015

STUBBS & LEONE

By: /s/ Katherine A. Alberts
KATHERINE A. ALBERTS
Attorneys for Defendants
LAFAYETTE SCHOOL DISTRICT
and LAFAYETTE SCHOOL BOARD

1 DATED: April 16, 2015

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3 By: /s/Lina Foltz
4 LINA FOLTZ
5 Attorneys for Plaintiffs
6 M.M. and E.M., individually and on
7 behalf of their minor son C.M.
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10 Attorneys for Defendants
11 LAFAYETTE SCHOOL DISTRICT and LAFAYETTE
BOARD OF EDUCATION
12

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
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16 M.M. & E.M., individually and on behalf
of their minor son C.M.,

17 Plaintiffs,

18 v.
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20 LAFAYETTE SCHOOL DISTRICT, a
Local Educational Agency and
21 LAFAYETTE BOARD OF
EDUCATION,

22 Defendants.
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Case No. C10-04223 SI
[Consolidated with C09-04624]

CERTIFICATE OF SERVICE

1 I am employed in the County of San Francisco, State of California. I am over the age of
2 18 and not a party to the within action; my business address is: 275 Battery Street, Suite 1150,
3 San Francisco, CA 94111. On the date set forth below I served the foregoing documents
4 described as:

5 **JOINT REQUEST TO SET CASE MANAGEMENT CONFERENCE**

6 on plaintiffs by serving counsel of record electronically, having verified on the court's CM/ECF
7 website that such counsel is currently on the list to receive emails for this case, and that there are
8 no attorneys on the manual notice list.

9 I declare under penalty of perjury under the laws of the United States of America that I am
10 employed in the office of a member of the bar of this Court at whose direction the service was
11 made and that this declaration was executed on April 16, 2015, at San Francisco, California.

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13 /s/Deborah L. Hopkins
14 Deborah L. Hopkins
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